

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ESTATE OF DIANE HELEN	:	
RAYMOND, by the executor JOHN T.	:	
RAYMOND and JOHN T. RAYMOND,	:	
individually,	:	
	:	
	:	
Plaintiffs,	:	CIVIL ACTION NO. 20-959
	:	
v.	:	
	:	
AMANDA R. LIEBERMAN, PA-C,	:	
ERRIN J. HOFFMAN, M.D., THE	:	
ALLENTOWN SPECIALTY HOSPITAL	:	
d/b/a GOOD SHEPERD SPECIALTY	:	
HOSPITAL, LEHIGH VALLEY	:	
HOSPITAL, INC., JOHN DOES, and	:	
ABC CORPORATIONS,	:	
	:	
	:	
Defendants.	:	

ORDER

AND NOW, this 17th day of November, 2021, after receiving a proposed consent order in this matter between the plaintiffs, Estate of Diane Helen Raymond, by the Executor John T. Raymond and John T. Raymond, individually, and the defendants, Errin J. Hoffman, M.D. (“Dr. Hoffman”), Amanda R. Lieberman, PA-C (“Ms. Lieberman”), and Lehigh Valley Hospital (“LVH”); and counsel for the plaintiffs having communicated with the court via email clarifying aspects of the proposed consent order insofar as it would affect the pending motions for summary judgment: (1) Allentown Specialty Hospital d/b/a Good Shepherd Specialty Hospital’s (“Good Shepherd”) motion for summary judgment (Doc. No. 84); (2) the plaintiffs’ motion for partial

summary judgment (Doc. No. 86); and (3) Dr. Hoffman and Ms. Lieberman's motion for partial summary judgment (Doc. No. 89);¹ accordingly, it is hereby **ORDERED** as follows:

1. The consent order between the plaintiffs, Ms. Lieberman, Dr. Hoffman, and LVH is **APPROVED AND ADOPTED**;²

2. Dr. Hoffman and Ms. Lieberman's motion for partial summary judgment (Doc. No. 89) is **DENIED AS MOOT**;

3. Counts five, six, seven, eight, nine, and ten of the amended complaint (Doc. No. 25) are **DISMISSED WITH PREJUDICE**;

4. Dr. Hoffman and Ms. Lieberman's first, fourth, eighth, ninth, tenth, twelfth, thirteenth, fifteenth, sixteenth, and twentieth affirmative defenses asserted with their answer (Doc. No. 51) are **DISMISSED WITH PREJUDICE**;

5. LVH's seventh, eighth, tenth, eleventh, twelfth, sixteenth, nineteenth, twentieth, twenty-first, twenty-second, and twenty-third affirmative defenses asserted with its answer (Doc. No. 50) are **DISMISSED WITH PREJUDICE**;

6. The court will hold a telephone status conference on **Wednesday, December 1, 2021, at 10:00 a.m.** Counsel for the parties shall call 1-571-353-2300 and use pin 363973916# to enter the conference call; and

7. The court will hold oral argument on the plaintiffs' and Good Shepherd's outstanding motions for partial and full summary judgment, respectively, on **Wednesday**,

¹ As explained by the plaintiffs' counsel's November 11, 2021 email to the court, the proposed consent order (1) moots Dr. Hoffman and Ms. Lieberman's motion for summary judgment (Doc. No. 89), (2) means that part of the plaintiffs' motion for partial summary judgment against Ms. Lieberman, Dr. Hoffman, and LVH (Doc. No. 86) is moot, (3) means that part of the plaintiffs' motion for partial summary judgment against Good Shepherd requires a decision by the court, and (4) means that Good Shepherd's motion for summary judgment (Doc. No. 84) requires a decision by the court.

² The proposed consent order is attached to this order.

December 15, 2021, at **10:00 a.m.** at the Holmes Building, 101 Larry Holmes Drive, 4th Floor,
Easton, PA 18042.

BY THE COURT:

/s/ *Edward G. Smith*
EDWARD G. SMITH, J.

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ESTATE of DIANE HELEN RAYMOND by the
EXECUTOR JOHN T. RAYMOND and JOHN T.
RAYMOND, Individually,

Plaintiffs

vs.

AMANDA R. LIEBERMAN, PA-C;
ERRIN J. HOFFMAN, M.D.;
THE ALLENTOWN SPECIALTY HOSPITAL
d/b/a GOOD SHEPHERD SPECIALTY
HOSPITAL;
LEHIGH VALLEY HOSPITAL, INC.;
JOHN DOES, fictitious persons; and
ABC CORPORATIONS, fictitious entities,

Defendants.

Civil Action No. 20-CV-959 (EGS)

**ORDER DISMISSING CERTAIN CLAIMS
AND AFFIRMATIVE DEFENSES**

THIS MATTER having been brought before the Court jointly by Plaintiffs, ESTATE of DIANE HELEN RAYMOND by the EXECUTOR JOHN T. RAYMOND and JOHN T. RAYMOND, Individually, through their counsel, and by Defendants, AMANDA R. LIEBERMAN, PA-C, ERRIN J. HOFFMAN, M.D. and LEHIGH VALLEY HOSPITAL, INC., through respective their counsel, upon agreement of the Parties, and for good cause shown, **IT IS HEREBY ORDERED THAT:**

1. Counts Five, Six, Seven, Eight, Nine and Ten of Plaintiffs' Amended Complaint are dismissed with prejudice;
2. Defendants, AMANDA R. LIEBERMAN, PA-C and ERRIN J. HOFFMAN, M.D.'s, First, Fourth, Eighth, Ninth, Tenth, Eleventh, Twelfth, Thirteenth, Fifteenth, Sixteenth and Twentieth Affirmative Defenses are dismissed with prejudice; and

3. Defendant, LEHIGH VALLEY HOSPITAL, INC.'s, Seventh, Eighth, Tenth, Eleventh, Twelfth, Sixteenth, Nineteenth, Twentieth, Twenty-first, Twenty-second and Twenty-third Affirmative Defenses are dismissed with prejudice.

EDWARD G. SMITH, U.S.D.J.